

IN THE UNITED STATES COURT FOR THE DISTRICT OF UTAH  
NORTHERN DIVISION

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| UNITED STATES OF AMERICA,<br><br>Plaintiff,<br><br><br>vs.<br><br>KENNETH HAMILTON,<br><br>Defendant. | MEMORANDUM DECISION AND<br>ORDER AMENDING CONDITIONS<br>OF SUPERVISED RELEASE<br><br><br><br>Case No. 1:02-CR-55 TS |
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This matter is before the Court on Defendant's Motion to Amend Sentence, filed February 14, 2006. The Court construes the Motion as a Motion to Amend Conditions of Supervised Release. The Court will grant the Motion, with the changes noted below.

At sentencing, the Court imposed several special conditions of supervised release. The relevant conditions before the Court are as follows:

3. Defendant shall not view or otherwise access pornography in any format.
4. Defendant shall not possess or use a computer with access to any on-line computer service without the prior written approval of the Court. This includes any Internet service provider, bulletin board system, or any other public or private computer network.

Any approval by the Court shall be subject to the conditions set by the Court or USPO.<sup>1</sup>

In his Motion, Defendant requests that he be allowed, at his own expense, to access a computer and the Internet at his home with the installation and use of an Internet filter program to block any materials which are pornographic in nature.<sup>2</sup> Defendant further proposes that Defendant's probation officer, Erik Anderson, be the only person with a password to access the filter program.

The Court has conferred with the probation officer and finds Defendant's proposal to be reasonable. The Court will allow computer and Internet access in Defendant's home on the following conditions, which may be revoked upon a showing of violation thereof:

- The Internet filter program shall be approved by the probation office.
- The program shall be paid for at Defendant's expense.
- The probation officer shall be the only individual with the password to the program.
- The probation officer shall have access to the program at any time to ensure monitoring and compliance.

SO ORDERED.


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<sup>1</sup> Judgment, Docket No. 95, at 2.

<sup>2</sup> Defendant's Motion, Docket No. 122, at 1-2.

DATED February 21, 2006.

BY THE COURT:



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TED STEWART  
United States District Judge